

EXHIBIT

A

FUNCTION = INQUIRE

CASE SCREEN 4

Case number : 17-C-1585

Action Log

PABLO A. FALCON vs. GREENWOOD, INC.,

Line	Date	Action / Results
1	11/17/17	# CASE INFO SHEET; COMPLAINT; ISSUED SUM & 3 CPYS; F FEE; RCPT
2		# 556496; \$230.00
3	11/27/17	# LET FR SS DTD 11/21/17; SUM W/RET (11/21/17 SS) AS TO
4		# GREENWOOD INC
5	12/11/17	# SUM W/RET (11/28/17 SP) AS TO KENNY STEEN
6	12/11/17	# NOT OF BONA FIDE DEF OF KENNY STEEN W/COS

C=Chg D=Del 1-4=Scr M=Menu T=Chg Line# PgUp PgDn P=Prt A=Add I=Image _

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

PABLO A. FALCON,

Plaintiff,

v.

Civil Action No.

17-C-1585

**GREENWOOD, INC., and
KENNY STEEN, an individual,**

Defendants.

SUMMONS

To the above-named Respondent: **KENNETH STEEN
c/o GREENWOOD INC.
437 MacCorkle Avenue, S.W.
South Charleston, WV 25309**

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon Carbone & Blaydes, PLLC, Petitioner's attorney, whose address is 2442 Kanawha Blvd., E., Charleston, WV 25311, an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred for asserting in another action any claim you may have which must be asserted by counterclaim in the above styled action.

Dated: 11/17/17

Cathy S. Gatson, Clerk

Clerk of Court

By: J. Bradshaw

Deputy Clerk

**CIVIL CASE INFORMATION STATEMENT
CIVIL CASES**

In the Circuit Court of, Kanawha County, West Virginia

FILED

2017 NOV 15 1:57

CATHY S. GATSON, CLERK
KANAWHA COUNTY CIRCUIT COURT

CASE STYLE

Plaintiff(s)

PABLO A. FALCON
517 Raven Drive
Charleston, WV 25306

Case #

17-C-1585

Judge:

Bloom

v.

Defendant(s)

Days to
Answer

Type of Service

GREENWOOD INC.
c/o Registered Agent Solutions, Inc.
555 Poca River Road, North
Poca, WV 25159

30

Corporate

KENNY STEEN, an individual,
c/o GREENWOOD INC.
437 MacCorkle Avenue, S.W.
South Charleston, WV 25309

20

Original and _____ copies of complaint enclosed/attached.

Plaintiffs: Pablo A. Falcon
Defendants: Greenwood, Inc. & Kenneth
Steen

Case Number:

17-C-1585

II. TYPE OF CASE:

☒ General Civil

☐ Mass Litigation
(As defined in T.C.R. Rule XIX (c))

- ☐ Asbestos
- ☐ Carpal Tunnel Syndrome
- ☐ Diet Drugs
- ☐ Environmental
- ☐ Mental Hygiene
- ☐ Silicone Implants
- ☐ Other: _____

☐ Adoption

☐ Administrative Agency Appeal

☐ Civil Appeal from Magistrate Court

☐ Miscellaneous Civil Petition

☐ Industrial Hearing Loss

☐ Guardianship

☐ Medical Malpractice

☐ Habeas Corpus/Other Extraordinary Writ

☐ Other: _____

III. JURY DEMAND: ☒ YES ☐ NO

CASE WILL BE READY FOR TRIAL BY (MONTH/YEAR): 12/2018

DO YOU OR ANY OF YOUR CLIENTS OR WITNESSES IN THIS CASE REQUIRE SPECIAL ACCOMMODATIONS DUE TO A DISABILITY? ☐ YES ☒ NO

IF YES, PLEASE SPECIFY

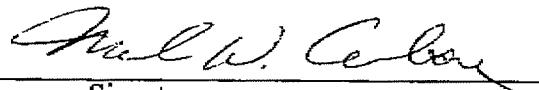
- ☐ Wheelchair
- ☐ Interpreter or other auxiliary aid for the hearing impaired
- ☐ Reader or other auxiliary aid for the visually impaired
- ☐ Spokesperson or other auxiliary aid for the speech impaired
- ☐ Other: _____

Attorney Name: Mark W. Carbone
Firm: Carbone & Blaydes, P.L.L.C.
Address: 2442 Kanawha Blvd., East
Charleston, WV 25311
Telephone: (304) 342-3650

Dated: November 17, 2017

Representing:

☒ Plaintiff ☐ Defendant
☐ Cross-Complainant ☐ Cross-Defendant


Signature

☐ Proceeding Without an Attorney

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

PABLO A. FALCON,

Plaintiff,

2017 NOV 17 P 1:57
CATHY S. GARDNER, CLERK
KANAWHA COUNTY CIRCUIT COURT

v.

Civil Action No. 17-C-1585

Bloom

GREENWOOD, INC., and
KENNY STEEN, an individual,

Defendants.

COMPLAINT

I. JURISDICTION AND VENUE

1. Plaintiff, Pablo A. Falcon, a former employee of Defendant GreenWood Inc., brings this action to redress the wrongs done to him by way of Defendants engaging in age discrimination.
2. Jurisdiction of this Court is invoked pursuant to the West Virginia Code, §55-2-1, et seq.
3. Venue is appropriate pursuant to West Virginia Code, §56-1-1.

II. PLAINTIFF AND DEFENDANTS

4. Plaintiff Pablo A. Falcon is an individual residing in Kanawha County at 517 Raven Drive, Charleston, West Virginia, 25306, and over the age of forty (40).
5. Defendant GreenWood, Inc., upon information and belief, is a South Carolina corporation with its corporate headquarters located at 160 Milestone Way, Greenville, South Carolina, with its West Virginia operation located at 437 MacCorkle Avenue, S.W., South Charleston, West Virginia, 25303.
6. Defendant Kenny Steen, upon information and belief, is a resident of Kanawha

County, West Virginia.

III. FACTUAL BACKGROUND

7. Plaintiff incorporates by reference herein the allegations set forth in ¶1-6 above.

8. Plaintiff was an employee of the Defendant GreenWood, Inc. The Plaintiff was employed as an electrician.

9. The Plaintiff worked out of Defendant GreenWood Inc.'s South Charleston, West Virginia, location.

10. On or about May 15, 2017, the Plaintiff was laid off from his employment with Defendant GreenWood, Inc. for lack of work.

11. The Plaintiff was over the age of forty (40) when laid off by Defendant GreenWood, Inc.

12. Defendant Kenny Steen is the Area Project Manager for Defendant's GreenWood Inc.'s South Charleston, West Virginia, operations and was the Plaintiff's ultimate Supervisor. In addition, upon information and belief, Defendant Kenny Steen made the decision to lay off the Plaintiff.

13. At the time that the Plaintiff was laid off, the Defendants retained the employees under the age of forty (40) with less experience than the Plaintiff.

14. At the time of the lay off the Plaintiff was told that when work improved he would be called back. Upon information and belief, the Defendants have been advertising for electricians at the South Charleston facility. The Plaintiff has not been called back to employment.

IV. AGE DISCRIMINATION

15. Plaintiff incorporates by reference herein the allegations set forth in ¶1-14 above.

16. The Plaintiff is a member of a protected class, over the age of forty (40) years.

17. The Defendants, on or about May 15, 2017, laid off the Plaintiff.

18. The Defendants lay off was based on the Plaintiff's age and not loss of work, since the Defendants retain employees that were under the age of forty (40) years and with less work experience.

19. Plaintiff has suffered extreme financial loss proximately caused by the actions of the Defendants.

20. By the actions above, the Defendants engaged in age discrimination against the Plaintiff.

PRAY FOR RELIEF


WHEREFORE, Plaintiff respectfully prays:

1. That Plaintiff be awarded back pay and front pay;
2. That Plaintiff be awarded pre-judgment interest as allowed by law;
3. Grant punitive damages to Plaintiff; and,
4. That Plaintiff be awarded reasonable attorney fees and costs incurred in prosecuting this action; and,
5. That this Court grant Plaintiff any further relief it deems appropriate.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

PABLO A. FALCON,
By Counsel



Mark W. Carbone (WV State Bar #6291)
CARBONE & BLAYDES, P.L.L.C.
2442 Kanawha Boulevard, East
Charleston, WV 25311
(304) 342-3650 telephone
(304) 342-3651 facsimile
wvjustice@aol.com
Counsel for Plaintiff



Chase Tower, 17th Floor
P.O. Box 1588
Charleston, WV 25326-1588
(304) 353-8000 (304) 353-8180 Fax
www.step toe-johnson.com

Writer's Contact Information

(304) 353-8116
Bryan.Cokeley@Step toe-Johnson.com

December 8, 2017

Cathy S. Gatson, Clerk
Circuit Court of Kanawha County
Kanawha County Judicial Annex
111 Court Street
Charleston, WV 25301

Re: *Pablo A. Falcon v. Greenwood, Inc. and Kenny Steen, an individual*,
Civil Action No.: 17-C-1585

Dear Ms. Gatson:

Enclosed please find the original of a **Notice of Bona Fide Defense of Kenny Steen** for filing in the above-referenced matter.

Please mark this document "filed" and place it in the appropriate Court file. A copy of this has been served upon counsel of record.

Thank you for your assistance in this matter.

With warmest regards,

Bryan R. Cokeley /pr
Bryan R. Cokeley

BRC/pjc
Enclosure
cc (w/enc.): Mark W. Carbone, Esquire

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

PABLO A. FALCON,

Plaintiff,

V.

CIVIL ACTION NO.: 17-C-1585

**GREENWOOD, INC., and
KENNY STEEN, an individual,**

Defendants.

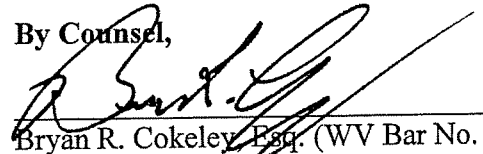
NOTICE OF BONA FIDE DEFENSE OF KENNY STEEN

Please take notice that Defendant Kenny Steen has a bona fide defense, including matters covered by Rule 12(b) of the West Virginia Rules of Civil Procedure, to the Complaint served upon him in this action and that, in accordance with Rule 12(a) of said Rules, his response to said Complaint will be served within thirty (30) days after the date of service.

Dated this 8th day of December, 2017.

KENNY STEEN,

By Counsel,



Bryan R. Cokeley, Esq. (WV Bar No. 774)

Mark C. Dean, Esq. (WV Bar No. 12017)

STEPTOE & JOHNSON PLLC

P.O. Box 1588

Charleston, WV 25326-1588

Telephone (304) 353-8000

Facsimile (304) 353-8180

Jan.Fox@Steptoe-Johnson.com

Mark.Dean@Steptoe-Johnson.com

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

PABLO A. FALCON,

Plaintiff,

V.

CIVIL ACTION NO.: 17-C-1585

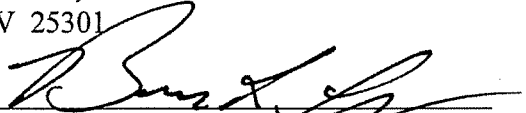
**GREENWOOD, INC., and
KENNY STEEN, an individual,**

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of December, 2017 I served the foregoing "Notice of Bona Fide Defense of Kenny Steen" with the Clerk of the Court and delivered same to all parties by depositing a true copy thereof in the United States mail, postage prepaid, addressed as follows:

Mark W. Carbone
Carbone & Blaydes, P.L.L.C.
2442 Kanawha Blvd., East
Charleston, WV 25301


Bryan R. Cokeley (WV Bar #774)
Mark C. Dean (WV Bar #12017)